

# Morgan Lewis

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## Via Fedex Delivery

Clerk of the Court  
United States District Court  
For the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Avraham Abada v. Delta Air Lines, Inc.*, Case No. 19-cv-03903-NGG-VMS  
*Tara Greaves v. Delta Air Lines, Inc.*, Case No. 19-cv-03904-WFK-LB  
*Eugene Rodrigues v. Delta Air Lines, Inc.*, Case No. 19-cv-03962-NG-SMG  
**RE: Joint request to have cases marked related**

To the Clerk of the Court:

This firm represents Defendant Delta Air Lines, Inc. ("Delta" or "Defendant").<sup>1</sup> Pursuant to Rule 1.6 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York ("Local Civil Rules") and Rule 50.3.1 of the Eastern District's Rules for the Division of Business Among District Judges ("Division of Business Rules"), we write with the consent of Plaintiff's counsel, D. Christopher Mason, Esq., to jointly request that the three cases referenced above – *Abada*, *Greaves*, and *Rodrigues* – all be marked as related and assigned to the same District Judge and Magistrate Judge in order to avoid unnecessary duplication of judicial effort.

According to Rule 50.3.1(a) of the Division of Business Rules, "A civil case is 'related' to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or **because the cases arise from the same transactions or events, a substantial**

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<sup>1</sup> Delta has not yet been served with the Summons and Complaint in any of these actions, and, therefore, counsel for Delta has not yet entered a notice of appearance. Nevertheless, the parties have discussed and agreed that these cases should be marked related and assigned to the same Judge. Additionally, the parties have discussed stipulating to a waiver of service, which would extend Delta's time to answer or otherwise move until 60 days from the date the waiver request was sent. Once the waiver of service form is executed, counsel for Delta will enter their appearance.

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**saving of judicial resources is likely to result from assigning [the] cases to the same judge and magistrate judge.”** (emphasis added). Rule 50.3.1(d) further provides, that “[a]ny party may apply for such a determination by filing with the clerk a letter of no more than three single-spaced pages explaining why the standard of paragraph (a) is met and serving copies of the letter on all other parties.”

Here, Plaintiffs Abada, Greaves, and Rodrigues, all former Delta employees, assert the same (or very similar) claims arising from the same events – namely Delta’s internal investigation that revealed abuse of its travel pass policies. All three cases allege discrimination based on race, religion, and national origin under 42 U.S.C. § 1981 (“§ 1981”); Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000-e *et seq.* (Title VII); and the New York City Human Rights Law, N.Y.C. Administrative Code § 8-107 (“NYCHRL”). In particular, Plaintiffs Greaves and Rodrigues, who do not identify as being Jewish, Hebrew, or Israeli, allege identical claims of discrimination based on their “association” with Jewish, Hebrew, or Israeli individuals. They further allege that they were discriminated against and found to have violated Delta’s travel pass policy by providing free travel passes to Jewish, Hebrew, or Israeli individuals. Plaintiff Abada appears to identify as being Jewish, Hebrew, and/or Israeli, and asserts similar claims to those of Plaintiff Greaves and Rodrigues—all of which arise from the same events involving Delta’s investigation into abuses of its travel pass policies.

Because of the similarity of facts and legal issues present in all three of these cases, we respectfully request that the cases be marked as related, and assigned to the same District Judge and Magistrate Judge.

We thank the Court in advance for its consideration of this joint request.

Respectfully submitted,

*/s/ John P. Guyette*

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